

TEMPORARY

NO. 63356

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**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 26 1997

Returned to applicant for correction AUG 29 1997

Corrected application filed _____

Map filed SEP 09 1997

The applicant **WESTERN GYPSUM, INC.**, hereby makes application for permission to change the **POINT OF DIVERSION AND PLACE OF USE OF A PORTION** of water heretofore appropriated under **PERMIT 55674**

1. The source of water is **UNDERGROUND**
2. The amount of water to be changed **4 ACRE-FEET AT RATE NOT TO EXCEED 0.006 CFS**
3. The water to be used for **COMMERCIAL USE**
4. The water heretofore permitted for **COMMERCIAL USE**
5. The water is to be diverted at the following point **NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 13, T18S, R.63E. M.D.M., CLARK COUNTY, NEVADA**
6. The existing permitted point of diversion is located within **THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 16, T18S, R63E, M.D.M. CLARK COUNTY, NEV. - COURSE AND DISTANCE FROM WELL TO N.E. CORNER OF SECTION 16, T18S, R63E, MDM, CLARK CO., NEV., ARE N 78°18'25" E AND 4154.45 FEET RESPECTIVELY.**
7. Proposed place of use **PORTION OF SECT. 13, T18S, R63E M.D.M. CLARK CO., NEVADA - MORE PARTICULARLY THE W.G. MILLSITES 1-16 AND THE DC MILLSITES 1-3, FILED WITH THE BLM AND LOCATED AS SHOWN ON MAP EXHIBIT A ATT. HERETO.**
8. Existing place of use **ON 166 ACRES IN SECTIONS 9, 10, 15 AND 16, T18S, R63E, MDM, CLARK CO., NEV. ON FILE WITH APP. # 54232**
9. Use will be from **JANUARY 1 to DECEMBER 31 of each year.**
10. Use was permitted from **JANUARY 1 to DECEMBER 31 of each year.**
11. Description of proposed works **6" WELL, SUBMERSIBLE PUMP LEADING TO 10,000 & 20,000 GALLON WATER STORAGE TANKS.**
12. Estimated cost of works **\$50,000.00**
13. Estimated time required to construct works **90 DAYS**
14. Estimated time required to complete the application of water to beneficial use **90 DAYS**
15. Remarks: **3-4 ACRE FEET**

By **WESTERN GYPSUM, INC.**
DON G. CECALA
s/ Don G. Cecala s/ Don G. Cecala
P.O. BOX 850
ST. GEORGE, UTAH 84771

Compared cl/jr cl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 55674 is issued subject to the terms and conditions imposed in said Permit 55674 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 28, 1998 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.006 cubic feet per second, but not to exceed 4.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

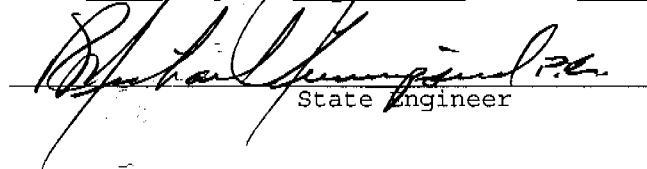
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 29th day of September, A.D. 1997


State Engineer

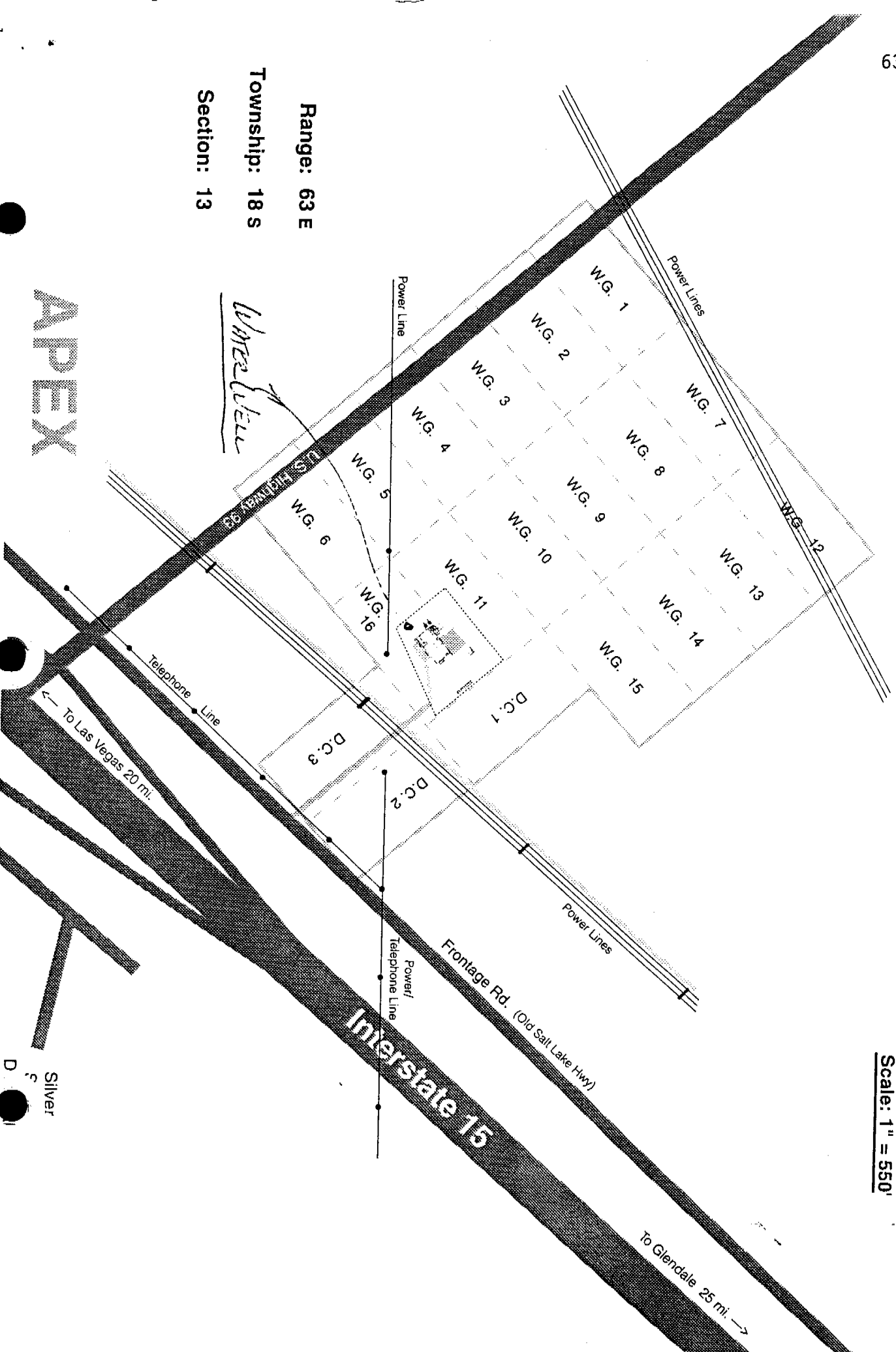
EXPIRED

SEP 29 1998

WESTERN GYPSUM, Inc., TRANSFER AND GRINDING FACILITY - SITE LOCATION
APEX, NEVADA

Scale: 1" = 550'

Range: 63 E
Township: 18 S
Section: 13



APEX